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## Chapter 11 Communication with Victims

### Abstract

Working with victims of crime is challenging, given the numerous obstacles they experience. Crisis, coupled with having become an innocent victim, creates the need for VSP to have essential and reliable communication skills when talking with victims. This chapter will provide basic techniques and augment existing skills to assist with effective communication with victims of crime. VSP will enhance their ability to communicate by fine-tuning and expanding fundamental communication skills. VSP will learn general guidelines for verbal and non-verbal communication.

### Learning Objectives

By the end of this section, participants will be able to:

- Recognize general communication skills.
- Utilize good attending behavior.
- Utilize minimal encouragement to talk.
- Demonstrate the use of open-ended sentences.
- Identify and use restating (paraphrasing) skills.
- Identify and demonstrate non-verbal communication skills.
- Recognize communication pitfalls.
- Understand compassionate witnessing.
- Understand communication techniques to use with crime victims.

### Listing of Topics

- General Communication Guidelines
- Good Attending Behavior
- Minimal Encouragement to Talk
- Open-ended Sentences
- Restating (Paraphrasing)
- Non-Verbal Communication Skills
- Summarizing
- Recognizing Communication Pitfalls
- Compassionate Witnessing
- General Communication Tips

### GENERAL COMMUNICATION GUIDELINES

The intent of the VSP is to foster a relationship that is supportive and trusting while encouraging the confidence of the victim. The VSP is willing to listen, to encourage the victim and to provide the opportunity for a victim to honestly express his or her concerns, fears and frustrations. The goal is to develop an atmosphere that makes "it safe enough for them to give voice to the feelings about

their intensely difficult experiences”.<sup>1</sup> The role of the VSP is to help victims problem-solve, explore alternatives and find resolutions to concerns and issues, rather than to make moralistic judgments.

Communication involves some general guidelines, including respect for the victim, avoiding the use of non-judgmental and/or violent language, using language geared toward empowerment and avoiding the use of acronyms or criminal justice jargon.

When meeting the victim immediately after the crime, remember that the victim is in crisis and therefore communication needs to be adapted to meet that situation. For the purpose of crisis intervention and support, the victim should be addressed in terms of “who, what, where”, rather than being asked for a replay of what it felt like to have been victimized. Remember that the role of the VSP is one of providing the opportunity for the victim to express any concerns he or she may be having, rather than asking questions for investigative purposes.

Deliver clear messages to victims, recognizing that all messages contain both content (the message) and feeling (how the message is being delivered). Take care to speak carefully and to avoid “hidden” messages or weighted words. Try to clarify the meaning of the message and never assume that the victim knows what you are talking about.

Whatever the circumstances, victims need to be assured that it was not their fault that the crime occurred and that his/her response to the situation falls within the expected norm. Validating the victims comments and concerns lets the victim know that you can see things from his or her point of view and that what is being said is reasonable from that perspective. Marlene S. Young, Executive Director of the National Organization for Victim Assistance, wrote:

*“The focus of validation should be that most reactions of anger, fear, frustration, guilt and grief do not mean that the victim is abnormal, immoral, or a bad person. They reflect a pattern of human distress in reaction to a unique criminal attack.”<sup>2</sup>*

Therefore, validation, care and support are the keystones of communication when working with crime victims.

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<sup>1</sup> HOPE Magazine, *SHARING Secrets*, page 1 of article.

<sup>2</sup> *Victim Assistance: Frontiers and Fundamentals*, National Organization for Victim Assistance

## Empathic Listening

Empathic listening is expressing an honest desire to understand how the victim is feeling, as well as accepting and listening with your heart.

Empathic listening begins by treating the victim with respect throughout each encounter and meeting the victim with the intent of establishing a positive connection. Be extra attentive to needs and problems that the victim shares with you. During conversations, an empathic VSP will strive to develop a feeling of acceptance and comfort for the victim---a place where he or she will feel safe. After establishing that safe place, the empathic listener then “listens with the heart” and give thoughtful attention to the victim. Giving full attention, an empathic listener will focus on what the victim has to say and will focus on listening to what the victim needs. Showing empathy means to listen with understanding and compassion. Empathy allows you to understand the victim’s experience and to feel what the victim might have felt. Listening allows you to learn how the experience was for the victim, rather than experiencing how *you* might have responded to the crime. Empathy is not sympathy; sympathy is commiseration that focuses on the feeling *you* might expect to feel given that you were in the same circumstance. Sympathy is being saddened by what the victim is going through, but sympathy does not take the extra step of truly understanding what the entire experience was like for the victim. Thus, empathic listeners verify their perceptions of the victim’s feelings and their understanding of those feelings. They also make confirming statements such as “Those feelings make sense”, “I can see how you might feel that way”, or “I imagine you might be feeling...”.

To paraphrase Steven R. Covey’s advice from his book, *The 7 Habits of Highly Effective Families*<sup>3</sup>, there is powerful effect in:

1. Empathizing or listening with your own heart to the heart of another.
2. Authentically sharing your most deeply felt insights, learning, and emotions.
3. Affirming the other person with a profound sense of belief, valuation, confirmation, appreciation and encouragement

## GOOD ATTENDING BEHAVIOR

Good attending behavior shows victims that you are “with them” at both a physical and mental level. It demonstrates respect and interest in what they have to say. At a time when victims *most* need to be recognized and heard, you can help restore their personal power by paying attention. Good attending behavior helps establish

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<sup>3</sup> Steven R. Covey, *The 7 Habits of Highly Effective Families*, Golden Books, New York, 1989 & 1997

a secure atmosphere in which fears, concerns and needs can be conveyed; good attending behavior helps establish that necessary safe environment.

Good attending behavior includes:

- Being physically relaxed, comfortable and near the victim.
- Being at eye level, perhaps sitting.
- Maintaining good eye contact, while being non-intrusive.
- Being mindful of touching the victim.
- Paying attention and listening carefully.

It can also include:

- Reflecting physical opposites in behavior (Example: sitting calmly while the victim paces; speaking softly when the victim is yelling).
- Advising victims that they do not have to talk if they don't want to and simply "being present" with them.

## **MINIMAL ENCOURAGEMENT TO TALK**

Minimal encouragement to talk is exactly that - using minor conversation to productively encourage and support the victim in discussing primary concerns and to convey your interest in what the person has to say. This skill allows victims to talk and to arrive at the desired result, which is generally solving a problem. As most victims are capable of finding solutions to issues, the use of minimal encouragers will permit them to make productive progress within a relatively short period of time. Minimal encouragement to talk refers to the amount of encouragement given by the VSP, in that vocalization on the part of the VSP is negligible.

Minimal Encouragement to Talk includes:

- The use of words such as "Oh...", "I see...", "Then?", "Uh-huh...", "Tell me more", "Give me an example..."
- Pausing to give the victim time to think, to get at the real issue, to arrive at a solution.
- Using non-committal words in a positive tone of voice.
- Using silence to produce revelations and answers.

## **OPEN-ENDED SENTENCES**

Utilize open-ended sentences as a way to have the client elaborate on the issue at hand and to learn more about what the victim is thinking and feeling. Open-ended sentences provide an opportunity to explore the issue, where questions that have a "yes" or "no" answer will, in essence, end the conversation. Open-ended questions will give you insight as to how the victim perceives the situation.

Example: *“Could you tell me a bit about how you think the children will respond to this?”* (Open-ended)

Example: *“Are the kids going to be upset?”* (Closed)

Open-ended questions can also be used to:

- Continue a conversation from another day’s dialog, such as “How have things been since last we talked?”
- To illicit answers to specific concerns, as in “What does it mean when you say you are depressed?”
- To help the victim focus on feelings, as in “What are you feeling as you tell me this?”

Questions are to be asked to help the victim clarify the problem, rather than to provide the VSP with information about the crime.

The manner in which questions are asked is also important. Generally, questions that begin with the word “how” are considered the best:

Example: *“How do you think you will deal with that?”*

Questions beginning with “what” are also positive:

Example: *“What is going on with your family?”*

Beginning sentences with “how” and “what” are generally viewed as positive and non-accusatory questions. Questions beginning with “why” are often interpreted as negative and accusatory and should be eliminated.

## **RESTATING OR PARAPHRASING**

Restating or paraphrasing shows the victim that:

- You are following the conversation.
- You are trying to clarify the context of the discussion.

Restating what you hear the other person saying and *putting it into your own words*, echoes back to the victim what you were told. Restating or paraphrasing shows that you are listening and that you understand the conversation, as well as having comprehended the facts. Remember that what is *said* and what is *heard* can be very different.

Restating will let the victim know that:

- He or she was heard correctly.
- What was said was important.
- You care about what is happening.

Example: *“In other words, you’re opting to ...”*

Example: *“If I understand what you are saying, it seems...”*

Example: *“What you are saying is...”*

## SUMMARIZING

Summarizing is another tool that can be used to understand what the victim is trying to convey. This can be especially effective to eliminate personal filters, assumptions, judgments and beliefs that distort the message that is being sent. By summarizing the major ideas and feelings from the conversation, you can pull important parts of the conversation together and create a basis for further discussion. Furthermore, if you should be in error about what you have learned from the conversation, the victim can immediately correct the misunderstanding. This process is extremely empowering to victims.

Example: *"There seems to be some key concerns for you..."*

Example: *"In summing up what you've been saying, you..."*

The summarizing process can be a very empowering conversational method to use with victims.

## NON-VERBAL COMMUNICATION SKILLS

Non-verbal messages are an essential component of communication. It is said that non-verbal communication are thoughts leaking out into physical form - conversational signals being projected through body language. Being aware of the body language of the victim and correctly interpreting that behavior, can add a significant element to any conversation. Non-verbal cues may provide clarity or contradiction for a message being sent and can give you additional clues as to the victim's psychological state.

Some major areas of nonverbal behaviors:

- Posture and body orientation.
- Hand movements and gestures.
- Eye movement and eye contact.
- Changes in breathing patterns.
- Blushing, red spots.
- Body movement (leg swinging, etc.).

Some researchers include vocal clues as well:

- Mumbling, stammering, stuttering, quivering voice.
- Rate of speech.
- Inflection.
- Tone and rate of speech.
- Sighing.

Be certain to verify that your perceptions regarding the victim's body language are accurate. For example: Arms crossed across the chest are often interpreted as the person being closed, unwilling to listen, or angry. Another interpretation

might be that the person with crossed arms is simply cold and needs a blanket. Check it out!

Check your own body language to see what message is being sent. Be aware of your gestures, tone of voice, movement and facial expressions. If you are unconsciously transmitting a message of being uncomfortable in the situation, or perhaps embarrassment or dislike for the victim, the victim or allied professional will be able to observe it.

## **RECOGNIZING COMMUNICATION PITFALLS**

It is important to be aware that certain communication styles can seriously hinder a positive and supportive communication environment. Any action that is harmful to the victim or that projects some form of expectation onto the victim, is generally cause for concern. Communication not directed toward assisting the victim suggests an unwillingness to work through the issues at hand, such as dealing with difficult or challenging issues facing the victim.

Another pitfall is inadvertently burdening the victim in some way. For example, telling a victim “how brave” she has been may send a message to the victim that she must remain “brave”, even though she may be filled with terror and insecurity. To the victim, it may be implied that you *expect* her to remain brave at all times.

Communication pitfalls also include engaging in detrimental conversations about allied professionals and taking sides with a victim against the system. Doing so will eventually destroy your credibility with both the victim and the allied agencies.

Being in the position of recovering from verbal abuse from a victim presents a true challenge for VSP. It's crucial to remember boundaries when facing these trials: VSP have a duty to remain sensitive and respond to victim's needs, but VSP do not deserve to be treated poorly in the process. When faced with difficult victims, rely on polite but firm behavior and responses.

A model recommended by the Center for Child and Family Studies is for the VSP to:

- State empathy.
- Explain the current position the VSP is in at the time.
- State an expectation of what can be done.
- Reach a mutually agreeable conclusion if possible<sup>4</sup>.

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<sup>4</sup> Victim Assistance Institute Basic Training Curriculum, The Center for Child and Family Studies, College of Social Work, University of South Carolina, 2000. Chapter 18, page 12.

The following page contains excellent and invaluable suggestions for communicating with victims. This material from the National Organization for Victim Assistance (NOVA)<sup>5</sup> is used with permission.

### **NOVA Communication Guidelines:**

Ineffective listening styles occur when listeners are affected by the following behaviors and attitudes:

- Listeners often make assumptions. They assume that they already know what will be heard, so they listen carelessly.
- Boredom may occur when listeners do not think that what they hear will be important.
- Concentration is interrupted by distractions with other things.
- Disagreement is perceived with another's thought or interpretations of events.
- Ego-involvement by listeners occurs when they focus on their own words and think it is more important to hear themselves talk or teach, rather than listen.
- Failure made by the listener to understand what has been said or to interpret what was meant.
- Generalizations made by the listener that the victims of one crisis are equated with the victims of another.
- Hearing only what the listener wants to hear.
- Interruptions made by the listener to complete the speaker's sentences or thoughts.
- Judgments made of the speaker's behaviors or actions.
- Kindnesses that can harm occur when listeners respond to stories with their own emotions.
- Listening to words only - not the intent, meaning or physical reactions of the speaker.

Effective listening is a skill developed with training and patience. It is based on the following principles:

- Ask questions only to facilitate the flow of story telling.
- Believe the speaker's impressions and reactions are the most important concern.
- Clarify what is being said.
- Discern and look for unspoken messages from speakers in their body language, voice tone and facial expressions.
- Echo words or phrases that victims use to indicate that you are paying attention and following their stories.
- Find new or alternative words that repeat or enhance the meaning of speakers in order to respond affirmatively to their reactions.

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<sup>5</sup> National Organization for Victim Assistance. *Effective Listening*, NOVA Training Guide. 2002



- Give information that might help victims understand the situation more clearly, if it might dispel specific concerns, without arguing with them or answering unasked questions.
- Help victims remember what happened by asking them about the chronology of time during which the event took place and a chronology of what has happened since the event, or asking them to describe the contextual nature of the event, such as colors, sounds, sensations, or impressions.
- Instill peace through silence by waiting for victims to decide when they may want to continue their stories.
- Journey with survivors through their narratives. If parts of the story are confusing, ask survivors if they can repeat those parts or remember other things that might help you understand what they are saying.
- Keep your personal values, beliefs, biases and judgments to yourself and avoid imposing them on others.
- Listen, summarize and remember you are helping victims develop a narrative for the event and to create words to describe their emotional reactions.

### COMPASSIONATE WITNESSING

A valuable part of communicating with victims is to help them find the right words for what they have experienced (see Crisis Intervention). By doing so, victims can define their experience in their own terms. There is a great need to do this because the effects of trauma take a terrible toll if not discussed or put into some sort of order. Putting words to their stories assists victims in regaining some control and in reaching a post-crime “new normal” (see Homicide Section).

In her book *Common Shock, Witnessing Violence Every Day: How We Are Harmed, How We Can Heal*, Kaethe Weingarten, Ph.D., describes the violence each of us is exposed to during each day, be it through the media or through life itself. Whether or not we want to be, we are all subjected to countless violent events on a daily basis. To combat the effects of violence in our society, has developed the response of “compassionate witnessing.” Weingarten, a renowned trauma expert at Harvard Medical School, believes that “compassionate witnessing can transform feelings of helplessness into action that helps with the healing process.”<sup>6</sup> Weingarten believes that by *acknowledging a person’s distress*, despair and other feelings about violence that has been witnessed (or one has been a part of), *is one of the most powerful things one human being can do for another*. This, followed by positive action of some sort, empowers people: it aids them in reclaiming lost pieces of their lives, thus restoring wholeness. Additionally, she writes that “in each act of witnessing, we give a gift; in effect we say, ‘your suffering has mattered. Knowing about it changes me. Your pain is not in vain.’”<sup>7</sup> Compassionate witnessing “can transform everyday violence by

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<sup>6</sup> HOPE Magazine, page 1 of article

<sup>7</sup> HOPE Magazine, page 1 of article *The Roots of Healing*

threading hope into its fabric,”<sup>8</sup> and it “provides a platform for a response that is helpful to us and others.”<sup>9</sup> She believes that compassionate witnessing can transform violence and while we may not be able to change anything about the violence that occurred, we are able to validate the experience and honor their experience. Weingarten states, “Compassionate witnessing first invites a telling of a story that allows people to express the states of vulnerability. This story is often one that has been silenced, blocked, denied or forbidden. As difficult as it is to put this story into words - and as painful as it is to feel the states of vulnerability---it is also the beginning of an antidote to the violence that inspired it.”<sup>10</sup> Thus, Weingarten provides us with a valuable reminder of the power of listening to victims and the power in helping victims put words to their stories.

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<sup>8</sup> *Common Shock, Witnessing Violence Every Day: How We Are Harmed, How We Can Heal*, page 227

<sup>9</sup> *Ibid.* pages 227-8

<sup>10</sup> *Ibid.*, page 232

## GENERAL COMMUNICATION TIPS

Using the following tips when working with victims can enhance communication:

- Use the victim's name; use the first name if it is appropriate.
- Ask the victim how he or she would prefer to be addressed.
- Provide your name and business card so the victim knows to whom he or she is speaking.
- Explain your reason for being in contact with the person and the agency you represent.
- Talk to the victim with personalized language. Use "I", "we", "you" and other words to make the conversation inclusive. Avoid using sentences that include "One always...". Remember to speak in a conversational manner.
- Be honest with the victim. Never offer false or bad information. If you don't know the answer to something, say that you don't know, but that you will find out the answer as soon as possible. Tell the victim you will get back to him or her, and then follow up.
- Be sincere in your words and actions. Insincere hugs aren't worth the effort, but sincere tears are invaluable.
- Eliminate phrases that will hurt the victim ("I could have died when..."). Erase violent words from your language ("I almost shot myself in the foot with that one!") and eliminate expressions such as "You're kidding!"
- False assurances are not part of VSP communications: saying, "it will be okay," won't make it true.
- Your presence is not going to immediately solve all of the victim's problems.
- Allow victims the right to finish their sentences. Avoid running over the end of their sentences; refrain from finishing the sentence for the victim. Both could cause alienation.
- Leave the latest statistics and your own victim story at home.

## Resources

The following resources were used and/or adapted to compile the information in this section:

Wright, Bond, De Hart, et al, Center for Child and Family Studies. *Victim Assistance Institute Basic Training Curriculum*, 2000. University of South Carolina, Columbia, South Carolina. Available online.

*2003 National Victim Assistance Academy Student Text*, Office for Victims of Crime, Training and Technical Assistance Center. Available online.

*Victim Assistance: Frontiers and Fundamentals*, National Organization for Victim Assistance, Washington, D.C. Young, Marlene A. 1993

*Common Shock, Witnessing Violence Every Day: How We Are Harmed, How We Can Heal*, Kaethe Weingarten, Ph.D. Dutton Publishers, a division of Penguin Group (USA) Inc., 2003.

*HOPE Magazine*, Brooklin, Maine. *The Roots of Healing* by Kimberly Ridley & *Sharing Secrets* by Jon Wilson. November/December Issue, 2003. Available online.